

From: Monroe, Pamela
Sent: Tuesday, August 11, 2020 8:56 AM
To: 'Lisa Linowes' <l.linowes@windaction.org>
Cc: Iacopino, Michael J <miacopino@brennanlenehan.com>; l.lerner01@comcast.net;
drfred@myfairpoint.net
Subject: RE: transcript and public comments

Dear Ms. Linowes-

Thank you. I am sure that the Committee will find your vast knowledge and history of the SEC process very helpful.

I will post the e-mail below as well as your e-mail dated July 30, that I was not previously copied on.

Have a great day.

Sincerely,

Pam

Pamela G. Monroe
Administrator
Site Evaluation Committee
21 S. Fruit Street, Suite 10
Concord, NH 03301-2429
Phone 603-271-2435
Fax 603-271-3878
Pamela.monroe@sec.nh.gov
<http://www.nhsec.nh.gov/index.htm>

From: Lisa Linowes <l.linowes@windaction.org>
Sent: Monday, August 10, 2020 5:12 PM
To: Monroe, Pamela <Pamela.Monroe@sec.nh.gov>
Cc: Iacopino, Michael J <miacopino@brennanlenehan.com>; l.lerner01@comcast.net;
drfred@myfairpoint.net
Subject: RE: transcript and public comments

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Ms. Monroe,

Thank you for your response. And thank you for agreeing to post the written comments.

In the SEC dockets I've engaged dating back to 2007 written comments were always posted to the SEC website. I cannot think of an exception to that process. Also, written comments can, and often do differ from oral comments. Since the court reporter is tasked with capturing live testimony during a meeting, it would be inappropriate for him/her to enhance the record with any differences that might appear in written comments. The exception being to correct for spellings or misheard words/phrases. One cannot assume a transcript memorializes a written statement.

To your point that the record must be opened first, you may want to look at Dockets 2013-02 (Wild Meadows) and 2010-01 (Groton Wind) as examples. In the former, no docket had been assigned but

written comment was accepted by the SEC and posted to the SEC website. In the latter, after the record was closed, comments were accepted and posted to the SEC website.

Regarding transparency, Chairwoman Martin stated in her June 15 letter to Rep Vose and Sens. Ward and Giuda that she “asked the Administrator to include the establishment of a procedure for posting information on the website as an item on the agenda for the next Committee meeting.” I was disappointed this was not addressed at the Jul 29th meeting but hoped the concerns over a lack of transparency would be resolved in favor of the public. Your email suggests otherwise. It appears you have adopted a posting practice without consulting the SEC or informing the public and it is a practice that burdens the public. On a separate but related note, Ms. Lerner’s Jul 29th comments address the extended delays before documents are posted to the SEC site. It should not take nearly a month for the public, the press, or the Committee to be made aware of issues at a project site.

Since this is a serious issue that is still unresolved, I ask that this correspondence be posted to the SEC website.

Thank you,
--Lisa Linowes

From: Monroe, Pamela [<mailto:Pamela.Monroe@sec.nh.gov>]
Sent: Monday, August 10, 2020 10:12 AM
To: Lisa Linowes <llinowes@windaction.org>
Cc: Iacopino, Michael J <miacopino@brennanlenehan.com>
Subject: RE: transcript and public comments

Dear Ms. Linowes-

Perhaps I am mistaken, but I have no record of you submitting written comments to me on July 30 and requesting that the document be posted to the SEC website. Please resend the e-mail to me.

The attachment to Ms. Lerner’s e-mail was a written version of her public statement and I forwarded it to the court reporter. Mr. Ward sent me his comment in advance and represented that it was a written version of the oral public statement that he was going to make and I forwarded it the court reporter. The comments will be memorialized in the transcript.

Public comments in **open dockets** are posted on the website up until the record is closed. This was a public meeting of the SEC and the notice did not specify any process for submitting post meeting written comments and I don’t recall that any such request was made at the meeting. I have no idea what you are referring to with your statement that: “Posting of written comment has been the regular practice of the SEC until only recently.” Neither Ms. Lerner or Dr. Ward conveyed to me their “intention.” Had they asked me directly, I would have responded to their request. That said, I accept your representation that it was their intention to request that their comments be posted on the public meeting section of the website and I will do that.

Sincerely,
Pam

Pamela G. Monroe
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Site Evaluation Committee
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From: Lisa Linowes <llinowes@windaction.org>
Sent: Monday, August 10, 2020 8:38 AM
To: Monroe, Pamela <Pamela.Monroe@sec.nh.gov>
Cc: llerner01@comcast.net; drfred@myfairpoint.net; Iacopino, Michael J <miacopino@brennanlenahan.com>
Subject: RE: transcript and public comments

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Thank you for your reply.

I submitted my written comments on Jul 30 and specifically requested the document be posted to the SEC website.

Lori Lerner submitted her statement to the Chair and the Committee via email on Jul 29th. Fred Ward submitted his comments, which differed from his oral comments, on Jul 30th.

I believe it is the intention of both Ms. Lerner and Dr. Ward (both cc'ed here) to have their comments posted to the SEC website as well. Posting of written comment has been the regular practice of the SEC until only recently.

Thank you,
--Lisa Linowes

From: Monroe, Pamela [<mailto:Pamela.Monroe@sec.nh.gov>]
Sent: Monday, August 10, 2020 8:12 AM
To: Lisa Linowes <llinowes@windaction.org>
Subject: RE: transcript and public comments

Dear Ms. Linowes-
Generally, the court reporters produce the transcript 10 business days after the date of the meeting (August 12).
What written public comments are you referring to (beyond the written statements that were given orally)?
Sincerely,

Pam

Pamela G. Monroe
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From: Lisa Linowes <llinowes@windaction.org>
Sent: Monday, August 10, 2020 7:17 AM
To: Monroe, Pamela <Pamela.Monroe@sec.nh.gov>
Subject: transcript and public comments

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Ms. Monroe – Would you kindly advise when the public written comments from the July 29th meeting will be posted to the SEC website. Further, we are also waiting for the transcript of the meeting to be posted.

Thank you,

--Lisa Linowes

lisa linowes
co-chair
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